



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YI MEI KE,

Plaintiff,

-against-

J R SUSHI 2 INC, et al.

Defendants.

1:19-CV-07332 (PAE) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during today's telephonic status conference, it is hereby ORDERED that:

1. No later than **November 2, 2020**, defendant J R Sushi 2 Inc. (J R Sushi) shall produce:
 - a. The police report filed with respect to the May 18, 2020 break-in, as well as any follow-up correspondence with police regarding that incident;
 - b. Any insurance claim(s) filed with respect to the May 18, 2020 break-in, including any follow-up correspondence; and
 - c. The name and contact information of the accountant or tax preparer that assisted J R Sushi with the preparation or filing of its federal, state, and/or local tax returns for calendar years 2016 through 2019.

J R Sushi is reminded that it must produce all otherwise discoverable documents within its "possession, custody, or control," Fed. R. Civ. P. 34(a)(1), including documents from the files of its accountant(s) and tax preparer(s). *See, e.g., De Vos v. Lee*, 2008 WL 2946010, at *1 (E.D.N.Y. July 29, 2008) ("documents in the possession of a party's accountant are deemed within that party's control for purposes of Rule 34 discovery").

2. No later than **November 6, 2020**, plaintiff shall produce electronic copies of the images previously produced to J R Sushi, including the underlying metadata.
3. The Court will conduct a further telephonic status conference on **December 17, 2020, at 11:00 a.m.** At that time, the parties shall call (888) 557-8511 and enter the access code 7746387. No later than **December 14, 2020**, the parties shall file an updated joint status letter.

Dated: New York, New York
October 29, 2020

SO ORDERED.

BARBARA MOSES
United States Magistrate Judge